IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

AURELIAN IP MANAGEMENT, LLC	)
	)
Plaintiff,	)
	) Civil Action No. 2:17-cv-211
v.	)
	) **JURY TRIAL DEMANDED**
SAS INSTITUTE INC.	)
	)
Defendant.	)
	)

COMPLAINT

For its Complaint, Plaintiff Aurelian IP Management, LLC ("Aurelian"), by and through the undersigned counsel, alleges as follows:

THE PARTIES

1.   Aurelian is a Texas limited liability company with a place of business located at 1400 Preston Road, Suite 400, Plano, Texas 75093.

2.   Defendant SAS Institute Inc. is a North Carolina company with, upon information and belief, a place of business located at Millennium I, 15455 N. Dallas Parkway, Suite 1300, Addison, Texas 75001.

3.   Upon information and belief, Defendant registered with the Texas Secretary of State to conduct business in Texas.

JURISDICTION AND VENUE

4.   This action arises under the Patent Act, 35 U.S.C. § 1 *et seq.*

5.   Subject matter jurisdiction is proper in this Court under 28 U.S.C. §§ 1331 and 1338.

6.   Upon information and belief, Defendant conducts substantial business in this

forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in this district.

7.   Venue is proper in this district pursuant to §§ 1391(b), (c) and 1400(b).

THE PATENT-IN-SUIT

8.   On August 7, 2001, U.S. Patent No. 6,272,495 (the "'495 patent"), entitled "Method and Apparatus for Processing Free-Format Data," was duly and lawfully issued by the U.S. Patent and Trademark Office. A true and correct copy of the '090 patent is attached hereto as Exhibit A.

9.   Aurelian is the assignee and owner of the right, title and interest in and to the '495 patent, including the right to assert all causes of action arising under said patent and the right to any remedies for infringement of it.

COUNT I – INFRINGEMENT OF U.S. PATENT NO. 6,272,495

10.   Aurelian repeats and realleges the allegations of paragraphs 1 through 9 as if fully set forth herein.

11.   Without license or authorization and in violation of 35 U.S.C. § 271(a), Defendant is liable for infringement of at least claims 1, 2, 4, 12, 18 and 38 of the '495 patent by making, using, importing, offering for sale, and/or selling a method and apparatus for processing free-format data, including, but not limited to, SAS Information Retrieval Studio ("IRS").

12.   More specifically and upon information and belief, Defendant's IRS examines elements of data to determine attributes of the data by examining elements of the data to determine attributes of the data and the contextual relationships of elements to each other, *see* SAS Information Retrieval Studio 12.2 Quick Start Guide ("Quick Start Guide") at pp. 10-12, 14

(available at http://support.sas.com/documentation/onlinedoc/ccs/12.2/irsqsug.pdf (last accessed Mar. 16, 2017)); SAS Information Retrieval Studio 1.3 Administrator's Guide ("Studio Administrator's Guide") at pp. 1, 74, 234-35 (available at https://support.sas.com/documentation/onlinedoc/textaddons/13/irsag.pdf (last accessed Mar. 16, 2017)); SAS Enterprise Content Categorization Servers 12.1 Administrator's Guide ("Servers Administrator's Guide") at p. 9 (available at http://support.sas.com/documentation/onlinedoc/ccs/12.1/ccesrvag.pdf (last accessed Mar. 16, 2017)); Text Mining and Analysis: Practical Methods, Examples and Case Studies Using SAS ("Text Mining and Analysis") at p. 4 (available at https://www.sas.com/storefront/aux/en/spmanaganalyzunstructured/65646_excerpt.pdf (last accessed Mar. 16, 2017)); to determine semantic and syntactic information about the data, *see* Studio Administrator's Guide at pp. 178, 235; Text Mining and Analysis at p. 5, producing additional data relating to this information, in the form of a text object which includes pointer means enabling access to the elements of the free-format data, *see* Studio Administrator's Guide at pp. 5, 44, 295, 297, 305, 309, 360, and the additional data being accessible by a query processing means to provide at least one of answers to queries relating to the semantic and syntactic information about the data and to access the data to manipulate the data, *see id.* at pp. 5, 163, 295, 305; and arranging the text object to act as a layer, between the free-format data and the query processing means, for at least one of interpretation and manipulation of the data. *See id.* at pp. 5, 305; Quick Start Guide at p. 10. Defendant's SRS processes a plurality of free-format data records and produces a text object associated with each free-format data record. *See* Studio Administrator's Guide at pp. 1, 5, 297. It produces a text object index including attribute type identifiers for elements of each data record and pointers to each data record and the index may be queried by

queries relating to semantic and syntactic-information about the data and the data may be accessed via the index. *See id.* at pp. 5, 78, 163, 295, 305.

13.   Aurelian is entitled to recover from Defendant the damages sustained by Aurelian as a result of Defendant's infringement of the '495 patent in an amount subject to proof at trial, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

JURY DEMAND

Aurelian hereby demands a trial by jury on all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Aurelian requests that this Court enter judgment against Defendant as follows:

A.   An adjudication that Defendant has infringed the '495 patent;

B.   An award of damages to be paid by Defendant adequate to compensate Aurelian for Defendant's past infringement of the '495 patent and any continuing or future infringement through the date such judgment is entered, including interest, costs, expenses and an accounting of all infringing acts including, but not limited to, those acts not presented at trial;

C.   A declaration that this case is exceptional under 35 U.S.C. § 285, and an award of Aurelian's reasonable attorneys' fees; and

D.   An award to Aurelian of such further relief at law or in equity as the Court deems just and proper.

Dated: March 17, 2017

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